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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/781,292	02/19/2004	Katsumi Tashiro	Q79518	3347

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EXAMINER

SIPOS, JOHN

ART UNIT PAPER NUMBER

3721

DATE MAILED: 02/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.		Applicant(s)	
	10/781,292		TASHIRO ET AL.	
	Examiner		Art Unit	
	John Sipos		3721	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 November 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

REJECTIONS OF CLAIMS BASED ON PRIOR ART

Claims 1-11 are rejected under **35 U.S.C. ' 103(a)** as being unpatentable over the patent to Japanese reference 2003-026113 to Kadota (for the English version of this reference see US patent 6,857,586 which claims priority to the Japanese reference) and further in view of Johnson (3,633,335) or Hooper (5,533,321). The Kadota reference discloses a method and apparatus of packaging a rolled article by gripping a side edge of said packaging sheet by grippers 560 and feeding the packaging sheet from the side edge thereof to a winding position to position the packaging sheet in the winding position (502, Figures 22-24&41), positioning said rolled article with respect to said packaging sheet in said winding position (Figure 1), attaching an end of said packaging sheet to an end of said elongate sheet of said rolled article (504), rotating said rolled article while gripping a winding end of said packaging sheet to wind said packaging sheet around said rolled article (508 and Figures 26,27&43) and mounting said skirt-members on said end packaging members by heat from elements 696 while pressing the end packaging members against respective opposite ends of said rolled article by pressing mechanism (686). Regarding the pressing rollers of claim 3, note rollers 700 in Figures 45-47 of Kadota. The Kadota reference does not show the pressing of the planar outer circumferential edge portions of the end packaging members against the rolled article while the article is rotated and while the skirt members are folded against the planar portions of the end packaging members.

Each of the patents to Johnson and Hooper shows the pressing of the planar outer circumferential edge portions of the end packaging members 2 and IH, respectively, by pressing means 31 and 28, respectively, against the rolled article while the article is rotated and while the skirt members 3 and WP, respectively, are folded against the planar portions of the end

packaging members. By mounting the skirt members against the planar portions of the end members, the skirt members better hold the end members in place and by pressing against the planar edges of the end members during the mounting operation positive control of both the end members and the skirt members is achieved throughout the mounting operation. It would have been obvious to one skilled in the art to substitute the mounting and pressing mechanism of Johnson or Hooper for the mounting and pressing mechanism of Kadota to positively control the mounting operation.

RESPONSE TO APPLICANT'S ARGUMENTS

Applicant's arguments have been considered but are moot in view of the new rejection. It should however be noted that all the three applied art mounts axially extending skirt members against planar end members. Kadota does not teach the mounting of the skirt members against the planar portions of the end members but Johnson and Hooper clearly perform this step. The substitution of one operation for the other for the reasons set forth above would have been obvious to one skilled in the art. Although Johnson may not contact the end members (neither does Hooper) it does use roller 31 to press the end members against the respective opposite ends of the article through the skirt members. Note that contact between the pressing elements and the end members is not recited in the claims.

ALLOWABLE SUBJECT MATTER

The Claims would be favorably considered if amended as follows:

in claim 1, line 14, "while pressing" is replaced with "while rotating said article and while contacting parts of planar outer circumferential edge portions of"; before "against" the phrase "by a pressing element to press said parts" is inserted and

in line 15, "rolled" is replaced with "rotating".

in claim 4, penultimate line, "presses on" is replaced with "contacts" and in the last line "of the end packaging members" is replaced with "of said planar portions of the end packaging members to press said parts against respective opposite ends of said rotating article".

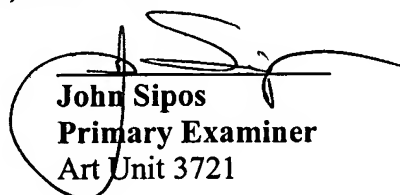
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry concerning this communication should be directed to **Examiner John Sipos** at telephone number **571-272-4668**. The examiner can normally be reached from 6:30 AM to 4:00 PM Monday through Thursday.

The **FAX** number for Group 3700 of the Patent and Trademark Office is **(703) 872-9302**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Rinaldi Rada, can be reached at **571-272-4467**.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group Receptionist whose telephone number is (703) 308-1148.



John Sipos
Primary Examiner
Art Unit 3721